

IC 34-11-9

Chapter 9. Acknowledgment, New Promise, and Partial Payment

IC 34-11-9-1

New or continuing contract

Sec. 1. An acknowledgment or promise is not evidence of a new or continuing contract, for the purpose of taking the case out of the operation of this article, unless the acknowledgment or promise is:

- (1) in writing; and
- (2) signed by the party to be charged by the acknowledgment or promise.

As added by P.L.1-1998, SEC.6.

IC 34-11-9-2

Joint contractor, executor, or administrator liability

Sec. 2. The acknowledgment or promise of one (1) joint contractor or executor or administrator does not render any other joint contractor, executor, or administrator liable under this chapter.

As added by P.L.1-1998, SEC.6.

IC 34-11-9-3

Payment; endorsement or memorandum

Sec. 3. This chapter does not take away or lessen the effect of any payment made by any person. However, no endorsement or memorandum of any payment made:

- (1) upon any instrument of writing; and
- (2) by or on behalf of the party to whom the payment is purported to be made;

is considered sufficient to exempt the case from this chapter.

As added by P.L.1-1998, SEC.6.

IC 34-11-9-4

Joint debtor or sureties; payment

Sec. 4. (a) This section applies to:

- (1) a joint debtor; and
- (2) the representatives of a joint debtor;

in whose favor the statute of limitations has operated.

(b) A person described under subsection (a) is not liable to:

- (1) a joint debtor or surety; or
- (2) the representatives of a joint debtor or surety;

upon payment by the joint debtor or surety, or the representative of the debt, or any part of it.

As added by P.L.1-1998, SEC.6.